

HON. BARBARA J. ROTHSTEIN

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ASH GROVE CEMENT COMPANY, a  
Delaware corporation,

Plaintiff,

v.

LONE STAR INDUSTRIES, INC., a Delaware  
corporation,

Defendant.

No. 2:14-cv-00161-BJR

**JOINT STATUS REPORT**

Pursuant to this Court's Order dated February 20, 2014 (Dkt. No. 7), the parties, by and through their respective undersigned counsel, hereby submit this joint status report to the Court concerning the status of the bankruptcy proceedings pending in the United States Bankruptcy Court for the Southern District of New York, on Lone Star Industries, Inc.'s Amended Motion for Entry of an Order to Enforce the Discharge Injunction, Impose Sanctions for Civil Contempt, and Related Relief (the "Amended Motion") filed in Cause Nos. 90 B 21276 to 90 B 21286, 90 B 21334, and 90 B 21335.

The above bankruptcy proceedings remain pending. A hearing on Lone Star Industries, Inc.'s Amended Motion was held on January 10, 2017. The United States Bankruptcy Court for the Southern District of New York entered an Order Partially Granting Amended Motion of Reorganized Debtor Lone Star Industries, Inc. to Enforce the Discharge Injunction, Impose

Sanctions for Civil Contempt, and Related Relief on March 20, 2017 (the “Bankruptcy Order”). The Bankruptcy Order provided, among other things, that Ash Grove is enjoined and prohibited from pursuing any of the Discharged Claims (as defined in the Bankruptcy Order) against Lone Star or any of its debtor-affiliates or their successors, except that within 180 days after the entry of the Bankruptcy Order, unless further extended by written agreement of the parties, Ash Grove may file a motion with the United States Bankruptcy Court for the Southern District of New York (and only with that Court) seeking leave to proceed against Lone Star solely in name only (i.e. as a nominal party) with respect to some or all of the Discharged Claims. That initial 180-day period established by the Bankruptcy Court has now been continued through and until March 1, 2019.

Pursuant to this Court’s Order, the parties are to provide this Court with a status report on the bankruptcy proceeding every six months. The next report is due August 24, 2019.

DATED this 22nd day of February 2019.

s/ Stephen J. Tan  
s/ Joseph A. Rehberger  
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Attorneys for Defendant Lone Star Industries, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that I caused the document to which this certificate is attached to be served by ECF to the following as indicated:

Howard (Terry) Hall  
[thall@foleymansfield.com](mailto:thall@foleymansfield.com)

Declared under penalty of perjury under the laws of the state of Washington dated at Olympia, Washington this 22nd day of February 2019.

CASCADIA LAW GROUP

s/ Eleanor Nickelson  
Eleanor Nickelson, Legal Assistant